



# City of Oakland Meeting Minutes

Office of the City Clerk  
Oakland City Hall  
1 Frank H. Ogawa Plaza  
Oakland, California 94612  
LaTonda Simmons, City Clerk

**\* Concurrent Meeting of the Oakland Redevelopment  
Successor Agency and the City Council  
Oakland City Hall, 1 Frank H. Ogawa Plaza, Oakland, California, 94612**

**City of Oakland Website: <http://www.oaklandnet.com>**

---

**Tuesday, November 05, 2013**

**5:30 PM**

**City Council Chambers, 3rd Floor**

---

1 PLEDGE OF ALLEGIANCE

*The Concurrent Meeting of the Oakland City Council and Successor Redevelopment Agency was held on the above date. Opening with the Pledge of Allegiance, the meeting was convened at 6:40 p.m.*

2 ROLL CALL / CITY COUNCIL

ORA\Councilmember Present: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

3 OPEN FORUM / CITIZEN COMMENTS (Time Available: 15 Minutes)

*There were 28 Open Forum speakers.*

4 ACTIONS ON SPECIAL ORDERS OF THE DAY

(Ceremonial Presentations, Reports/Presentations From The Mayor, Council Acknowledgements/Announcements):

*Vice Mayor Reid took a point of personal privilege, joined by Councilmembers Brooks and Gibson McElhaney, and requested that the meeting be adjourned in memory of Joe Debro*

*Vice Mayor Reid took a point of personal privilege and requested that the meeting be adjourned in memory of Branden James Reliford.*

*Councilmember Brooks took a point of personal privilege and requested that the meeting be adjourned in memory of Sarah Angie Everett-Fuqua and Ernest Turner.*

*Councilmember Schaaf took a point of personal privilege and requested that the meeting be adjourned in memory of Walter Thomas, Donald "Duck" Bailey, and Judith Silverman.*

- 4.1 Subject: Honoring Life Academy Of Health And Bioscience High School  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging The Life Academy Of Health And  
Bioscience High School Community For Its Academic Growth And Community Contributions  
[13-0119](#)

**A motion was made by Councilmember Gallo, seconded by Councilmember Gibson McElhaney, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84667 CMS.pdf](#)

- 4.2 Subject: Honoring Corazon Del Pueblo  
From: Councilmember Noel Gallo  
Recommendation: Adopt A Resolution Acknowledging Corazon Del Pueblo For Their Positive Promotion Of Peace And Cultural Understanding Through The Arts And Education In The Fruitvale Community And For Their Leadership In The Dia De Los Muertos Celebration Throughout The Bay Area  
[13-0139](#)

**A motion was made by Councilmember Gallo, seconded by Councilmember Schaaf, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84668 CMS.pdf](#)

- 5 APPROVAL OF THE DRAFT MINUTES FROM THE MEETING OF OCTOBER 15, 2013

**A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, to \*Approve as Submitted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

- 6 MODIFICATIONS TO THE AGENDA AND PROCEDURAL ITEMS  
(Requests To: Reschedule Items From Consent To Non-Consent To The Next Council  
Agenda, Speak On Consent Calendar, Register Votes, Change Order Of Items,  
Reconsiderations, Pull Items Held In Committee):

**7. CONSENT CALENDAR (CC) ITEMS:**

- 7.1-CC Subject: Declaration Of A Local Emergency Due To AIDS Epidemic  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing And Continuing The City Council's  
Declaration Of A Local Emergency Due To The Existence Of A Critical Public Health Crisis  
With Regard To The Human Immunodeficiency Virus ("HIV")/Acquired Immunodeficiency  
Syndrome ("AIDS") Epidemic  
[13-0128](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council  
President Kernighan  
[View Report.pdf](#)  
[84669 CMS.pdf](#)

- 7.2-CC Subject: Medical Cannabis Health Emergency  
From: Office Of The City Attorney  
Recommendation: Adopt A Resolution Renewing The City Council's Declaration Of A Local  
Public Health Emergency With Respect To Safe, Affordable Access To Medical Cannabis In  
The City Of Oakland  
[13-0129](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council  
President Kernighan  
[View Report.pdf](#)  
[84670 CMS.pdf](#)

---

7.3-CC Subject: Cannabis Regulatory Commission Reappointment - Sierra Martinez  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Reappointing Sierra Martinez As Members Of The  
Cannabis Regulatory Commission  
[13-0107](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84671 CMS.pdf](#)

7.4-CC Subject: Library Advisory Commission Reappointment - Kathryn Sterbenc  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Reappointment Of Kathryn Sterbenc As A Member Of The Library Advisory Commission  
[13-0108](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84672 CMS.pdf](#)

7.5-CC Subject: Community Policing Advisory Board Appointment - Sheryl Walton  
From: Office Of The Mayor  
Recommendation: Adopt A Resolution Confirming The Mayor's Appointment Of Sheryl Walton As A Member Of The Community Policing Advisory Board  
[13-0121](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84673 CMS.pdf](#)

---

7.6-CC      Subject:      Settlement Agreement - Johnson v. City Of Oakland  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Johnson v. City Of Oakland, Et Al., Alameda County  
Superior Court, Case No. RG12653800 City Attorney's File No. 29168, In The Amount Of  
Seventy Thousand Dollars (\$70,000.00) (Public Works Department - Trip And Fall)  
[13-0122](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council  
President Kernighan  
[View Report.pdf](#)  
[84674 CMS.pdf](#)

7.7-CC      Subject:      Settlement Agreement - Fred Fakraei v. City Of Oakland  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromise And Settle The Case Of Fred Fakraei v. City Of Oakland, Alameda County  
Superior Court Case No. RG12-643200 In The Amount Of \$550,000.00 As A Result Of A  
Vehicle Accident At 11th And Clay Streets (Oakland Fire Department-Vehicle Collision)  
[13-0123](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council  
President Kernighan  
[View Report.pdf](#)  
[84675 CMS.pdf](#)

7.8-CC      Subject:      Settlement Agreement - Christina And Alphonso Acampo  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromised And Settle The Claim Of Christina And Alphonso Acampo, City Attorney's  
Claim No. C29342, In The Amount Of Nine Thousand One Hundred Twenty-Three Dollars  
And Fourteen Cents (\$9,123.14) (Public Works Agency - Tree Limb Damaged Property)  
[13-0137](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council  
President Kernighan  
[View Report.pdf](#)  
[84676 CMS.pdf](#)

---

7.9-CC      Subject:      Settlement Agreement - Blesilda Alcantara  
From:          Office Of The City Attorney  
Recommendation: Adopt A Resolution Authorizing And Directing The City Attorney To  
Compromised And Settle The Claim Of Blesilda Alcantara, City Attorney's Claim No. C29545,  
In The Amount Of Nine Thousand Two Hundred Twenty-Nine Dollars And Eighty-Three  
Cents (\$9,229.83) (Public Works Agency - Sewer Overflow)  
[13-0138](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84677 CMS.pdf](#)

7.10-CC      Subject:      Payment For City Property In Wildfire Prevention District Ordinance  
From:          Councilmembers Dan Kalb And Libby Schaaf  
Recommendation: Adopt An Ordinance Authorizing Payment For City Owned Properties  
Within City Of Oakland Community Facilities District No. 2013-1 (Wildfire Prevention  
District) In Fiscal Years 2014-2015 Through 2023-2024, In An Amount Not To Exceed One  
Hundred Fifty Thousand Dollars (\$150,000) Per Fiscal Year, Subject To Annual Appropriation  
[13-0068](#)

**This Matter was Approved for Final Passage on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[13197 CMS.pdf](#)

---

7.11-CC Subject: Ordinance Supporting A Flexible Parking District Program  
From: Public Works Agency  
Recommendation: Adopt An Ordinance Amending Title 10.36 (Parking Meter Zones) Of The Oakland Municipal Code To Establish Flexible Parking Zones, Amending Title 10.44.050 (Designation Of A Residential Parking Area) And, Amending Ordinance Number 13184 C.M.S. (The FY 2013-14 Master Fee Schedule, Or "MFS"), To Establish And Modify Fees Assessed For On-Street And Off-Street Parking By In Order To Facilitate A Flexible Parking Zone Program  
[13-0048-1](#)

**This Matter was Approved for Final Passage on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[13198 CMS.pdf](#)

7.12-CC Subject: Metropolitan Golf Rent Relief Extension  
From: Office Of Parks and Recreation  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Execute A Second Amendment To Sublease And Operating Agreement ("2nd Amendment") Extending The Fifty Percent (50%) Of The Minimum Rent Relief To Oakland Golf LLC For The Operation Of The Metropolitan Golf Links (METRO) During Fiscal Year July 1, 2013 Through June 30, 2014 In The Amount Of \$149,179 As Authorized In The First Sublease And Operating Agreement Approved By Resolution No. 81274 C.M.S. On May 6, 2008  
[13-0085](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84678 CMS.pdf](#)

---

7.13-CC Subject: Ending Of The Hiring Freeze  
From: Department Of Human Resources Management  
Recommendation: Adopt A Resolution Rescinding Resolution No. 82502 C.M.S., Passed In January 2010, Which Imposed A Hiring Freeze On All Positions Funded By The General Fund, And Rescinding Resolution No. 82532, Passed In February 2010, Which Established Criteria For Exempting Positions And Exempted Certain Critical Positions From The Hiring Freeze  
[13-0112](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84679 CMS.pdf](#)

7.14-CC Subject: Appropriate Funds To Regulate Medical Cannabis Dispensaries  
From: Office Of The City Administrator  
Recommendation: Adopt A Resolution Authorizing The City Administrator Or Her Designee To (1) Appropriate Three Hundred Fifty-Six Thousand Six Hundred And Ninety-Three Dollars (\$356,693) One-Time Expenditures For One-Time Costs, (2) Create One Tax Auditor II And One Assistant To City Administrator Positions, (3) Appropriate Three Hundred Sixty Thousand Dollar (\$360,000) For On-Going Staff And Operating Costs From General Purpose Fund (Fund# 1010), City Administrator's Office And Revenue Division On Positions And Operating And Maintenance Necessary To Adequately Regulate Medical Cannabis Dispensaries, And (4) Appropriate On-Going Revenue To Expenditure On An On-Going Basis  
[13-0096](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84680 CMS.pdf](#)



---

7.15-CC Subject: Citywide Curb Ramps And Sidewalk Repair Project  
From: Department Of Public Works  
Recommendation: Adopt A Resolution Authorizing The City Administrator, Or Designee To Award A Construction Contract To AJW Construction The Lowest Responsible, Responsive Bidder, In Accord With Plans And Specifications For Citywide Curb Ramps And Sidewalk Repair Project No. C428012 And Contractor's Bid Therefore, In The Amount Of Nine Hundred Thirty Six Thousand One Hundred Fifty-Six Dollars (\$936,156.00)  
[13-0097](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84681 CMS.pdf](#)

7.16-CC Subject: Encroachment At 251 28th Street  
From: Department Of Planning And Building  
Recommendation: Adopt A Resolution Granting A Conditional And Revocable Major Encroachment Permit To The Christian Church Homes Of Northern California To Allow A Surface Mounted Electrical Transformer And Retaining Wall At 251 28th Street To Encroach Into The Public Right-Of-Way Along 28th Street  
[13-0110](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84682 CMS.pdf](#)

7.17-CC Subject: Senior Center Trust Funds  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Accept, Appropriate, And Expend Revenue Received In City Established Trust Accounts For Senior Center Events, Activities And Donations [TITLE CHANGE]  
[13-0087](#)

**This Matter was Adopted as Amended on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental.pdf](#)  
[84683 CMS.pdf](#)

---

7.18-CC Subject: Winter Shelter Contracts  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To: (1) Accept And Appropriate Estimated Amount Of \$62,500 From Alameda County For Winter Shelter Beds; And (2) Enter Into A Memorandum Of Understanding With Alameda County, Governing The Transfer Of Said Funds; And (3) Enter Into Several Agreements For The Provision Of Emergency Winter Shelter Beds For The Period Of November 1, 2013 Through May 15, 2014 In An Aggregate Estimated Amount Of \$168,161 With The Following Homeless Services Providers: Bay Area Community Services (BACS); St. Mary's Center; And With Cityteam Ministries For As Needed Overflow Beds; And (4) Authorize The Acceptance And Appropriation Of Any Additional Funds From Other Sources For The Same Purpose Without Returning To Council Through June 30, 2014; And (5) Authorize The Reprogramming Of \$17,103 In Carry Forward Funds And Allocation Of Said Funds To Provide Match Funding For The Abode Oakland Path Re-Housing Initiative (OPRI) [TITLE CHANGE]  
[13-0090](#)

**This Matter was Adopted as Amended on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84684 CMS.pdf](#)

7.19-CC Subject: Eden Information & Referral Contract For 2-1-1 Services  
From: Department Of Human Services  
Recommendation: Adopt A Resolution Authorizing The City Administrator To Enter Into A Grant Agreement With Eden Information & Referral Inc., For The Provision Of 2-1-1 Telephone Line Services For Information And Referral Services For Social Services, Bank On Oakland (BOO), And The Earned Income Tax Credit Campaign (EITC) From July 1, 2013 - December 31, 2014 In An Estimated Amount Of \$125,000  
[13-0093](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[84685 CMS.pdf](#)

---

7.20-CC Subject: 2013 DNA Backlog Reduction Grant Program Funds  
From: Oakland Police Department  
Recommendation: Adopt A Resolution Authorizing The City Administrator, On Behalf Of The City Of Oakland, To 1) Accept And Appropriate Grant Funds In An Amount Not To Exceed Four Hundred Twenty Seven Thousand Three Hundred And Sixty Eight Dollars (\$427,368) From The U.S. Department Of Justice, National Institute Of Justice (USDOJ/NIJ) For Implementation Of The Fiscal Year 2013 Forensic Casework Deoxyribonucleic Acid (DNA) Backlog Reduction Grant Program In The Oakland Police Department, And 2) For The Period October 1,2013 Through March 31, 2015, Approve A Waiver Of The Central Services Overhead (CSO), And 3) Waive The Advertising And Competitive Bidding Requirements For The Purchases Of DNA Typing Supplies And Maintenance Of DNA Typing Instruments In The Amount Of Fifty Four Thousand Seven Hundred Dollars (\$54,700) From Life Technologies, Thirty Four Thousand Two Hundred Dollars (\$34,200) From Qiagen, Four Thousand Eight Hundred Sixty Nine Dollars (\$4,869) From VWR/Fisher/USA Scientific, Seven Thousand Dollars (\$7,000) From Aurora Biomed, And Thirty One Thousand Six Hundred Dollars (\$31,600) From Promega  
[13-0101](#)

**This Matter was Adopted on the Consent Agenda.**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84686 CMS.pdf](#)

**Passed The Consent Agenda**

**A motion was made by Councilmember Kalb, seconded by Vice Mayor Reid, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

*There were 11 speakers for the Consent Calendar.*

8 ORAL REPORT OF FINAL DECISIONS MADE DURING CLOSED SESSION &  
DISCLOSURE OF NON-CONFIDENTIAL CLOSED SESSION DISCUSSIONS

**A motion was made by Vice Mayor Reid, seconded by President Pro  
Tempore Kaplan, to \*Approve as Submitted. The motion carried by the  
following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember  
Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro  
Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council  
President Kernighan

**COMMENCING AT 6:30 P.M., OR AS SOON AS REASONABLY PRACTICABLE  
THEREAFTER, THE NON - CONSENT CALENDAR PORTION OF THE AGENDA:**

**9. CONSIDERATION OF ITEMS WITH STATUTORY PUBLIC HEARING  
REQUIREMENTS:**

*Upon the reading of Item 9.1 by the City Clerk, the Public Hearing was opened  
at 7:48 p.m.*

*President Pro Tempore Kaplan made a motion, seconded by Councilmember  
Gallo, to close the Public Hearing, and hearing no objections, the motion  
passed with a vote of 8 Ayes - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan,  
Schaaf, Reid and President Kernighan.*

---

9.1 Subject: Local Amendments to State Model Housing Code  
From: Department Of Planning And Building  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following  
Pieces Of Legislation:

1) An Ordinance Repealing The Oakland Amendments To The 2010 Edition Of The California Housing Law, Adopting Local Amendments To The 2013 Edition Of The State Housing Law Regulations, California Code Of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Section 32, Amending Oakland Municipal Code Chapter 15.08 To Comply With Changes To State Law [TITLE CHANGE]; And  
[13-0094](#)

**A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gallo, to Approved As Amended On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the November 19, 2013 meeting. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[View Supplemental Report.pdf](#)

2) A Resolution Of Findings Supporting Local Amendments To The 2013 Edition Of The State Housing Law Regulations, California Code Of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Section 32, To Comply With Changes To State Law [TITLE CHANGE]  
[13-0094-1](#)

**A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gallo, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[84687 CMS.pdf](#)

*Upon the reading of Item 9.2 by the City Clerk, the Public Hearing was opened at 7:55 p.m.*

*There were 3 public speakers on this item.*

*President Pro Tempore Kaplan made a motion, seconded by Councilmember Gibson McElhaney, to close the Public Hearing, and hearing no objections, the motion passed with a vote of 8 Ayes - Brooks, Gallo, Gibson McElhaney, Kalb, Kaplan, Schaaf, Reid and President Kernighan.*

9.2 Subject: Local Amendments to State Model Building Code  
From: Department Of Planning And Building  
Recommendation: Conduct A Public Hearing And Upon Conclusion Adopt The Following Pieces Of Legislation:

1) An Ordinance Repealing The Oakland Amendments To The 2010 Editions Of The California Model Building Codes And Adopting Local Amendments To The 2013 Editions Of The California Building Standards Code, California Code Of Regulations, Title 24, Parts 2 (Building), 2.5 (Residential), 3 (Electrical), 4 (Mechanical), 5 (Plumbing), 6 (Energy), And 11 (Green Building Standards), And Amending Oakland Municipal Code Chapter 15.04 To Comply With Changes To State Law [TITLE CHANGE]; And  
[13-0095](#)

**A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, that this matter be Approved On Introduction and Scheduled for Final Passage to the Meeting of the Oakland City Council, to be heard at the November 19, 2013 meeting with the assurances of staff that staff will meet with community members regarding concerns with the changes to the Code and bring a report back to Council in February 2014 addressing the concerns. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan

[View Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

[View Supplemental Report.pdf](#)

---

2) A Resolution Of Findings Supporting Non-Administrative Local Amendments To The 2013 Editions Of The California Building Standards Code, California Code Of Regulations, Title 24, Parts 2 (Building), 2.5 (Residential), 3 (Electrical), 4 (Mechanical), 5 (Plumbing), 6 (Energy), And 11 (Green Building Standards) To Comply With Changes To State Law [TITLE CHANGE]  
[13-0095-1](#)

**A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Gibson McElhaney, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Ayes: 8 - Councilmember Brooks, Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[84688 CMS.pdf](#)

**ACTION ON OTHER NON-CONSENT CALENDAR ITEMS:**

10 THIS NUMBER INTENTIONALLY NOT USED

11 Subject: Budget Implementation Tracking Report  
From: Office Of The City Administrator  
Recommendation: Receive A Monthly Budget Implementation Tracking Report  
[13-0067](#)

**A motion was made by President Pro Tempore Kaplan, seconded by Councilmember Schaaf, that this matter be \*Received and Filed. The motion carried by the following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)

12 Subject: CPS HR Consulting Contract For Human Resources Services  
From: Department Of Human Resources Management  
Recommendation: Adopt A Resolution Waiving The Competitive Request For  
Proposal/Qualifications (RFP/Q) Process And Awarding A Professional Services Contract In  
The Amount Not To Exceed \$200,000 (Two Hundred Thousand Dollars) To CPS HR  
Consulting To Include But Not Be Limited To Recruitment And Testing Services For The  
Oakland Police Department, Public Works Agency And Other City Departments For A Two  
Year Term  
[13-0111](#)

**A motion was made by Councilmember Gallo, seconded by President Pro  
Tempore Kaplan, that this matter be Adopted. The motion carried by the  
following vote:**

**Votes:** ORA\Councilmember Abstained: 1 - Councilmember Brooks  
ORA\Councilmember Ayes: 7 - Councilmember Gallo, Councilmember Gibson  
McElhaney, Councilmember Kalb, President Pro Tempore Kaplan, Vice Mayor  
Reid, Councilmember Schaaf and Council President Kernighan  
[View Report.pdf](#)  
[View Supplemental Report.pdf](#)  
[84689 CMS.pdf](#)

**CONTINUATION OF OPEN FORUM**

**ADJOURNMENT OF COUNCIL SESSION**

**(Meeting Shall Conclude No Later Than 12:00 A.M., Unless Extended By Majority Vote Of The  
Council)**

*There being no further business, and upon the motion duly made, the Council  
adjourned the meeting in memory of Joe Debro, Branden James Reliford, Sarah  
Angie Everett-Fuqua, Ernest Turner, Walter Thomas, Donald "Duck" Bailey,  
and Judith Silverman at 8:22 p.m.*

Americans With Disabilities Act

If you need special assistance to participate in Oakland City Council and Committee meetings  
please contact the Office of the City Clerk. When possible, please notify the City Clerk 48  
hours prior to the meeting so we can make reasonable arrangements to ensure accessibility.  
Also, in compliance with Oakland's policy for people with environmental illness or multiple  
chemical sensitivities, please refrain from wearing strongly scented products to meetings.

Office of the City Clerk - Agenda Management Unit

Phone: (510) 238-3226

Fax: (510) 238-6699

Recorded Agenda: (510) 238-2386

Telecommunications Display Device: (510) 839-6451

[TTD](#)



---

**THE HANGING OF BANNERS, POSTERS, SIGNS, OR ANY MATERIAL ON OR OVER THE GALLERY BANNISTERS IS STRICTLY PROHIBITED IN ORDER TO ENSURE THE SAFETY OF THOSE ATTENDING MEETINGS.**

**MATERIALS RELATED TO ITEMS ON THIS AGENDA SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKETS MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK, 1 FRANK H. OGAWA PLAZA, 1ST AND 2ND FLOOR, OAKLAND, CA 94612 FROM 8:30 A.M. TO 5:00 P.M.**

---

*City Clerk and Clerk of the Council*